REMARKS

Applicants acknowledge receipt of the *Office Action* dated April 2, 2007 wherein the Patent Office rejected all of the pending claims under 35 U.S.C. § 103(a). In response, Applicants hereby request further examination and reconsideration of the presently claimed application in view of the following remarks.

Status of Claims

Claims 3-18, 21-24, 30 and 31 are in original form.

Claims 1, 19, 20, 26-29 and 47-61 were previously presented.

Claims 2, 25 and 32-46 were previously canceled.

Thus, claims 1, 3-24, 26-31 and 47-61 are currently pending in the application.

Claim Rejections Under 35 USC § 103(a) in view of Lemons and Menard

Claims 1, 3-19, 47-49 and 53-61 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,504,479 to Lemons et al. (hereinafter *Lemons*) in view of U.S. Patent No. 6,667,688 to Menard et al. (hereinafter *Menard*). In response, Applicants respectfully submit that the combination of *Lemons* and *Menard* do not establish a *prima facie* case of obviousness as to independent claims 1, 53, 55 and 57, or as to dependent claims 3-19, 47-49, 54, 56 and 58-61. According to MPEP § 2142, three basic criteria must be met to establish a *prima facie* case of obviousness:

> First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

Applicants respectfully submit that no *prima facie* case of obviousness has been established as there is no suggestion or motivation to modify the security system of *Lemons* with the alarm transmission methods disclosed by *Menard*, or to combine the reference teachings, as suggested by the Patent Office. Moreover, such a combination fails to teach or suggest Applicants' claimed invention.

Lemons generally discloses an integrated security system 10 for monitoring a facility 12 utilizing a site control unit 14 that receives inputs from video and audio components 20 and provides outputs through communications termination equipment (CTE) 34, which transmits and receives signals over a first communication channel 36 to and from a monitoring center 38 (col. 4, lines 10-30). *Lemons* also discloses a "backup or redundant communications channel 50" connected between the facility 12 and the monitoring center 38 for the purpose of ensuring that "all functions of the integrated security system 10 can be maintained even when the primary communication link 36 fails, is not available, or is interrupted" (col. 4, line 66 to col. 5, line 12). Thus, *Lemons* teaches an integrated security system 10 with first and second communication channels 36, 50 that are both connected between the facility 12 and the monitoring center 38. The first communication channel 36 is "primary", and the second communication channel 50 is "backup" that is used only when the primary channel 36 "fails, is not available, or is interrupted." As acknowledged by the Patent Office, *Lemons* fails to disclose a security system with a first network and a second network through which a security gateway transmits notification of an alarm condition to a security system server substantially simultaneously according to Applicants' claim 1.

Menard generally discloses an alarm system 10 that is operable to substantially simultaneously transmit alarm notifications along Path A to an end-user 30 and along Path B to a central station 20, as schematically depicted in Figure 1. The end-user 30 can then communicate directly with the central station 20 along Path C using a personal communication device 40 to either verify or cancel the alarm before an emergency agency is dispatched. *Menard* discloses that one benefit of the system is the reduction of false alarms and false dispatches given the user's ability to quickly cancel false alarms (col. 3, lines 13-17). Thus, *Menard* discloses a system having two

communication Paths A, B along which alarm conditions may be simultaneously transmitted, but such transmissions are made to two entirely different destinations rather than to a single destination (security system server) according to Applicants' claim 1.

Claims 1, 3-19 and 47-49

With respect to independent claim 1 and claims 3-19 and 47-49 that depend therefrom, the Patent Office rejects these claims as obvious in view of the *Lemons* security system modified by the *Menard* teachings regarding simultaneous alarm transmissions in Path A and Path B. In response, Applicants submit that, due to the functional differences between the *Lemons* and *Menard* security systems and the diverse purposes for providing two communication channels, it would not be obvious to combine the teachings of these two references.

In particular, *Lemons* discloses two communication channels 36, 50 that operate independently rather than simultaneously to deliver the alarm notification to the same destination, namely the monitoring facility 38. The disclosed purpose of having two communication channels 36, 50 is to provide redundancy, thereby ensuring that an alarm condition is delivered to the monitoring facility 38. In contrast, *Menard* discloses two communication Paths A, B that operate simultaneously rather than independently to deliver the alarm notification to different destinations, namely the end-user 30 and the central station 20. The disclosed purpose of having both communication Paths A, B is to reduce false alarms and false dispatches by delivering the alarm notifications to the end-user 30 and the central station 20 simultaneously so that the end-user 30 can either verify or cancel the alarm. In view of these differences in functionality and purpose, Applicants respectfully submit that there is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the *Lemons* reference or to combine the *Lemons* and *Menard* reference teachings.

Moreover, doing so would neither teach nor suggest a security system according to Applicants' claim 1 wherein a security gateway notifies a security system server of an alarm condition through a first network and a second network simultaneously, the purpose of which is to ensure that the security system server receives the notification as early as possible. The

Lemons, *Menard* and Applicants' systems are all very different in functionality and purpose – the *Lemons* system provides redundancy, the *Menard* system reduces false alarms, and Applicants' system speeds the receipt of the alarm notification by the security system server. Therefore, combining the teachings of *Lemons* and *Menard* neither teaches nor suggests a security system according to claim 1.

At least for the reasons set forth above, Applicants respectfully submit that independent claim 1 is patentably distinguishable over *Lemons* in view of *Menard*. Additionally, Applicants note that pending claims 3-19 and 47-49 each depend from and incorporate the limitations of claim 1. Thus, Applicants respectfully submit that claims 3-19 and 47-49 are likewise allowable over *Lemons* in view of *Menard*.

Claims 53-56

The Patent Office appears to reject claims 53-56 as being anticipated by the *Lemons* reference -- there is no mention of the *Menard* reference in the rejection. In rejecting claims 53-56, the Patent Office relates the *Lemons* facility 12 to the claimed security gateway, the *Lemons* monitoring center 38 to the claimed security system server, the *Lemons* primary communication channel 36 to the claimed first network, and the *Lemons* backup communication channel 50 to the claimed second network.

As set forth in MPEP § 706.02(IV), in order for a reference to anticipate the invention as claimed, the reference must disclose each and every element recited in the claims. Applicants respectfully traverse the rejection of claims 53 and 54 on the basis that *Lemons* fails to disclose a security gateway configured to notify the security system server through the second network of a loss of connectivity through the first network according to independent claim 53. Instead, *Lemons* only discloses that the backup communications channel 50 can be used when the primary communications link 36 either fails, is not available, or is interrupted. *Lemons* does not teach or suggest that the facility 12 is configured to send any notification through the backup channel 50 to indicate to the monitoring facility 38 that there is a loss of connectivity through the primary channel 36. Thus, Applicants respectfully submit that *Lemons* fails to disclose each and

every element recited in independent claim 53 and claim 54 that depends therefrom, and therefore, claims 53 and 54 are patentably distinguishable over *Lemons*.

Applicants also traverse the rejection of claims 55 and 56 on the basis that *Lemons* fails to disclose a security gateway configured to notify the security system server in the event that connectivity with the security system server through the first network is lost while the security gateway is disarmed and the security gateway is armed before connectivity with the security system server through the first network is restored according to independent claim 55. Indeed, *Lemons* does not teach or suggest that the facility 12 is ever disarmed or armed, or that the facility 12 is configured to send a notification to the monitoring facility 38 in the event that connectivity through the primary channel 36 is lost. Thus, Applicants respectfully submit that *Lemons* fails to disclose each and every element recited in independent claim 55 and claim 56 that depends therefrom, and therefore, claims 55 and 56 are patentably distinguishable over *Lemons*.

Claims 57-61

The Patent Office rejects claims 57-61 as obvious in view of the *Lemons* security system modified by the *Menard* teachings regarding various communications along Path A, Path B, Path C and Path D. In response, Applicants respectfully submit that no *prima facie* case of obviousness has been established because the combination of *Lemons* and *Menard* fails to teach or suggest all of the claim limitations.

In rejecting claims 57-61, the Patent Office relates the *Menard* alarm system 10 with the claimed security gateway, the end-user 30 with the claimed monitoring center, and the central station 20 with the claimed security system server. Applicants submit that independent claim 57 is not obvious in view of the combination of *Lemons* with *Menard* because this combination fails to disclose a monitoring center that is configured to notify the security system server of the alarm condition. Instead, *Menard* discloses that the alarm system 10 (security gateway) simultaneously notifies the end-user 30 (monitoring center) and the central station 20 (security system server) of the alarm condition along Path A and Path B, respectively, and the end-user 30 can also receive an alarm notification from the central station 20 along Path D. However, *Menard* neither teaches nor

suggests that the end-user 30 notifies the central station 20 of the alarm condition. Instead, the communication along Path C from the end-user 30 to the central station 20 is only an alarm verification or cancellation, not a notification. The central station 20 can only receive alarm notifications from the alarm station 10.

At least for these reasons, Applicants respectfully submit that independent claim 57 is patentably distinguishable over *Lemons* in view of *Menard*. Additionally, Applicants note that pending claims 58-61 each depend from and incorporate the limitations of claim 57. Thus, Applicants respectfully submit that claims 58-61 are likewise allowable over *Lemons* in view of *Menard*.

Claim Rejections Under 35 USC § 103(a) in view of Lemons, Menard and Kung

Claims 20-24, 26-31, and 50-52 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lemons* in view of *Menard* and further in view of U.S. Patent No. 6,826,173 to Kung et al. (hereinafter *Kung*). In response, Applicants respectfully submit that no *prima facie* case of obviousness has been established as to independent claim 20, or as to claims 21-24, 26-31, and 50-52 that depend therefrom, as there is no suggestion or motivation to modify the security system of *Lemons* with the alarm transmission methods disclosed by *Menard*, and further with the cable head-end and hybrid-fiber coaxial network disclosed by *Kung*, or to combine the reference teachings, as suggested by the Patent Office. Moreover, such a combination fails to teach or suggest Applicants' claimed invention.

Like claim 1, independent claim 20 recites a security gateway configured to notify a security system server of an alarm condition through two networks substantially simultaneously. Like the rejection of claim 1, the Patent Office takes the position that this aspect of claim 20 is obvious in view of the combination of *Lemons* and *Menard*, without adding in the teachings of *Kung*. As presented above with respect to claim 1, Applicants submit that, due to the differences in functionality and purpose, there is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the *Lemons* reference or to combine the *Lemons* and *Menard* reference teachings as suggested by the Patent Office. Moreover, such a combination of *Lemons* and *Menard* would neither teach

nor suggest a security system according to Applicants' claim 20 wherein a security gateway notifies a security system server of an alarm condition through two networks substantially simultaneously, the purpose of which is to ensure that the security system server receives the notification as early as possible. As previously stated, the *Lemons*, *Menard* and Applicants' systems are very different in functionality and purpose – the *Lemons* system provides redundancy, the *Menard* system reduces false alarms, and Applicants' system speeds the receipt of the alarm notification by the security system server. Therefore, combining the teachings of *Lemons* and *Menard* neither teaches nor suggests the security system according to claim 20.

The Patent Office combines *Kung* into the obviousness rejection to address the cable head-end and hybrid-fiber coaxial network features of claim 20, which features have nothing to do with a security gateway notifying a security system server of an alarm condition through two networks simultaneously. Therefore, combining *Kung* with *Lemons* and *Menard* fails to resolve the deficiencies noted above, and therefore fails to render independent claim 20 obvious.

At least for the reasons set forth above, Applicants respectfully submit that independent claim 20 is patentably distinguishable over *Lemons* in view of *Menard* and further in view of *Kung*. Additionally, Applicants note that pending claims 21-24, 26-31, and 50-52 each depend from and incorporate the limitations of claim 20. Thus, Applicants respectfully submit that claims 21-24, 26-31, and 50-52 are likewise allowable over *Lemons* in view of *Menard* and further in view of *Kung*.

Claim Rejections Under 35 USC § 103(a) in view of Lemons and Saylor

Claims 1 and 3-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lemons* in view of U.S. Patent No. 6,400,265 to Saylor et al. (hereinafter *Saylor*). Applicants respectfully submit that no *prima facie* case of obviousness has been established at least because the combination of *Lemons* and *Saylor* fails to teach or suggest all of the claim limitations. In particular, as acknowledged by the Patent Office, *Lemons* fails to disclose a security system with a first network and a second network through which a security gateway transmits notifications of an alarm condition to a security system server substantially simultaneously according to Applicants' claim 1, and *Saylor* does not make up for this lack of teaching by *Lemons*.

Saylor generally discloses a security system 100 comprising control panels 120, 122, 124 that transmit alarm information from various types of security devices associated with property 110, personal property 112 and/or individuals 114 to a central security network 130, as schematically depicted in Figure 1 (col. 4, lines 18-28). The central security network 130 may process the alarm situation according to relevant information for personalized alarm services stored in databases 140, 142, 144 and 146 (col. 4, lines 31-41). "Alert notification may be communicated [to a user 160] via the Internet 150, POTS 152, wireless communication portals, voice portals and/or other methods. Contact individuals and/or entities 162_1 – 162_N identified by the user may also receive alert notification in an order determined by the user" (col. 4, lines 44-49).

Thus, *Saylor* discloses a system whereby a single user 160 may receive alert notifications through multiple communication networks 150, 152, but *Saylor* fails to state that such alert notifications are transmitted simultaneously to the single user 160 through the multiple communication networks. Instead, when describing the notification method, *Saylor* discloses that "the user may request to be notified via cell phone ... where the system may continuously dial the cell phone until the user answers to respond to the alarm. ... The user may also specify that the system should attempt to contact the user through various forms of communication until an answer is received" (col. 9, lines 32- 40). This passage suggests that such alert notifications are not transmitted simultaneously but rather sequentially until the user is reached and an answer is received. *Saylor* also discloses a system whereby multiple individuals and/or entities 162_1 – 162_N may receive alert notifications. However, these transmissions are made "in an order determined by the user," clearly establishing that such notifications are transmitted sequentially rather than simultaneously.

At least for these reasons, Applicants respectfully submit that independent claim 1 is patentably distinguishable over *Lemons* in view of *Saylor*. Additionally, Applicants note that pending claims 3-19 each depend from and incorporate the limitations of claim 1. Thus, Applicants respectfully submit that claims 3-19 are likewise allowable over *Lemons* in view of *Saylor*.

Claim Rejections Under 35 USC § 103(a) in view of Saylor and Kung

Claims 20-24, 26-31, 47-52 and 55-61 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Saylor* in view of *Kung*. Applicants respectfully submit that no *prima facie* case of obviousness has been established at least because the combination of *Saylor* and *Kung* fails to teach or suggest all of the claim limitations as discussed with respect to each claim group below.

Claims 20-24, 26-31, 47-52

The Patent Office rejects claims 20-24, 26-31 and 47-52 as obvious in view of the *Saylor* security system modified by the *Kung* teaching regarding a hybrid-fiber-coaxial network. In response, Applicants respectfully submit that claims 20-24, 26-31 and 50-52 are not obvious in view of the combination of *Saylor* and *Kung* because these references fail to teach or suggest all of the limitations of independent claim 20. Similarly, dependent claims 47-49 are not obvious in view of the combination of *Saylor* and *Kung* because these references fail to teach or suggest all of the limitations of independent claim 1.

As presented above, Applicants submit that *Saylor* discloses a system whereby a single user 160 may receive alert notifications through multiple communication networks 150, 152. However, *Saylor* suggests that such alert notifications are transmitted sequentially (rather than simultaneously) until the user is reached and an answer is received. *Saylor* also discloses a system whereby multiple individuals and/or entities $162_1 - 162_N$ may receive alert notifications, but these transmissions are made "in an order determined by the user," clearly establishing that such notifications are transmitted sequentially rather than simultaneously. Thus, *Saylor* fails to disclose a security gateway configured to notify a security system server of an alarm condition through two networks simultaneously as recited by independent claim 1 and independent claim 20, and *Kung* fails to make up for this lack of teaching of *Saylor*.

At least for these reasons, Applicants respectfully submit that independent claim 20 is patentably distinguishable over *Saylor* in view of *Kung*. Additionally, Applicants note that pending claims 21-24, 26-31 and 50-52 each depend from and incorporate the limitations of

claim 20. Thus, Applicants respectfully submit that claims 21-24, 26-31 and 50-52 are likewise allowable over *Saylor* in view of *Kung*.

Similarly, claims 47-49 each depend from and incorporate the limitations of independent claim 1, which like claim 20, recites a security gateway configured to notify a security system server of an alarm condition through two networks simultaneously. Thus, Applicants respectfully submit that dependent claims 47-49 are patentably distinguishable over *Saylor* in view of *Kung*.

Claims 55-61

The Patent Office appears to reject claims 55-61 as being anticipated by the *Saylor* reference -- there is no mention of the *Kung* reference in the rejections. In rejecting claims 55-61, the Patent Office relates the *Saylor* property components 110, 120, 112, 122, 114 and 124 to the claimed security gateway, the *Saylor* central security server 130 to the claimed security system server, the *Saylor* connections between the property components and the central security server 130 to the claimed first network, the *Saylor* Internet method of communication 150 to the claimed second network, and the *Saylor* user 160 to the claimed monitoring center.

As set forth in MPEP § 706.02(IV), in order for a reference to anticipate the invention as claimed, the reference must disclose each and every element recited in the claims. Applicants respectfully traverse the rejection of claims 55 and 56 on the basis that *Saylor* fails to disclose a security gateway configured to notify the security system server in the event that connectivity with the security system server through the first network is lost while the security gateway is disarmed and the security gateway is armed before connectivity with the security system server through the first network is restored. Indeed, *Saylor* does not teach or suggest that the property components 110, 120, 112, 122, 114 would be capable of sending a notification to the central security server 130 in the event that connectivity between them is lost, regardless of whether the property components are disarmed or armed. Thus, Applicants respectfully submit that *Saylor* fails to disclose each and every element recited in independent claim 55 and claim 56 that depends therefrom, and therefore, claims 55 and 56 are patentably distinguishable over *Saylor*.

Applicants also traverse the rejection of claims 57-61 on the basis that *Saylor* fails to disclose a monitoring center that is configured to notify the security system server of the alarm condition according to independent claim 57. Instead, *Saylor* discloses the exact opposite, namely, that the central security server 130 (security system server) notifies the user 160 (monitoring center) of the alarm condition via communication modes 150, 152. *Saylor* neither teaches nor suggests that the user 160 notifies the central security server 130 of the alarm condition. Instead, the communication from the user 160 to the central security server 130 is only a response to the alarm, not a notification that the alarm condition has occurred. The central security server 130 only receives alarm notifications from the property components 110, 120, 112, 122, 114 and 124. Thus, Applicants respectfully submit that *Saylor* fails to disclose each and every element recited in independent claim 57, and therefore, claim 57 is patentably distinguishable over *Saylor*. Additionally, Applicants note that pending claims 58-61 each depend from and incorporate the limitations of claim 57. Thus, Applicants respectfully submit that claims 58-61 are likewise in allowable condition in view of *Saylor*.

In view of the foregoing remarks, Applicants believe that the patentability of the pending claims has been clearly established, and these claims are now in condition for allowance. Accordingly, Applicants respectfully request withdrawal of all remaining rejections, and issuance of a *Notice of Allowance*.

CONCLUSION

Consideration of the foregoing remarks, reconsideration of the application, and withdrawal of the rejections is respectfully requested by Applicants. No new matter is introduced by way of the response. It is believed that each ground of rejection raised in the *Office Action* dated April 2, 2007 has been fully addressed. If any fee is due as a result of the filing of this paper, please appropriately charge such fee to Deposit Account Number 50-1515 of Conley Rose, P.C., Texas. If a petition for extension of time is necessary in order for this paper to be deemed timely filed, please consider this a petition therefore.

If the Examiner believes that a telephonic interview with the attorney of record will expedite the resolution of any remaining issues, the Examiner is invited to call the undersigned.

Respectfully submitted,

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Date: July 2, 2007

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